

ORDINANCE NO. 0416-395

AN ORDINANCE AMENDING THE STOCKBRIDGE MUNICIPAL CODE WITH RESPECT TO PROCUREMENT; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

SECTION 1. That sub-section 2.30.090 of the Stockbridge Municipal Code is hereby amended by deleting said sub-section in its entirety and inserting in lieu thereof the following:

"3.30.090 - Purchases based on informal procurement.

A. General. Procurements that involve amounts fifty thousand dollars (\$50,000.00) or less do not require a formal sealed bid/proposal process. However, the processes used for this type of procurement will include as much competition as is consistent with the anticipated cost of the procurement and the best interest of the city.

B. Prohibition of Improper Use of Informal Purchase Process. Purchases may not be artificially divided as to constitute an informal purchase, thereby circumventing the dollar limit requirements herein for competitive sealed bids/proposals, neither shall this process be used for frequently recurring acquisitions that warrant volume purchases or periodic term contracts.

C. Procedures. Procurement within this category shall be made in accordance with the informal purchase procedures established by the purchasing agent. These procedures will cover purchases delegated to user departments as well as those handled through the central procurement process. Such operational procedures shall provide for obtaining adequate and reasonable competition for the supply, service or construction being purchased. Further, such operational procedures shall require the preparation and maintenance of written records to adequately document the competition obtained, properly account for the funds expended and facilitate audit/review of the transaction.

D. Authority. Where the cost is less than one thousand dollars (\$1,000.00), purchasing staff shall only require the written approval of the City Manager or a department head for purchases of commodities and services. Purchasing staff shall obtain commodities and services competitively through at least three (3) written solicitations where the cost is more than one thousand dollars (\$1,000.00) but less than fifty thousand dollars (\$50,000.00), unless adequate source supply is not available."

SECTION 2. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Stockbridge, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 3. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Codification and Severability.

(a) It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment believed by the City Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the City Council that to the greatest extent allowed by law each and every section, paragraph, sentence, clause or phrase of this ordinance is severable from every other section, paragraph, sentence, clause or phrase of this ordinance. It is hereby further declared to be the intention of the City Council that to the greatest extent allowed by law no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

(c) In the event that any section, paragraph, sentence, clause or phrase of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 6. Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

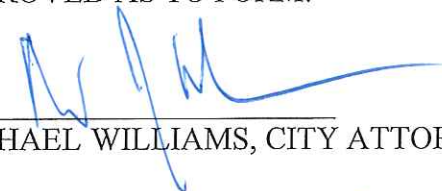
SO ORDAINED this 11th day of April, 2016.


ANTHONY S. FORD, MAYOR PRO TEM

ATTEST:

 (SEAL)
VANESSA HOLIDAY, CITY CLERK

APPROVED AS TO FORM:


MICHAEL WILLIAMS, CITY ATTORNEY

Date Presented to Mayor: 4-12-2016

Date Received from Mayor: 4-13-2016

